

on the following schedule, whether or not they effect any changes:

(1) At least 30 days before they are to become effective, for tariffs stating a passenger fare within the zone created by section 1002(d)(4) of the Act (interstate and overseas) or the zone created by section 1002(j)(6) (foreign), or stating a rule that affects only such a fare;

(2) At least 25 days before they are to become effective, for matching tariffs that are to become effective on the same date as the tariff to be matched and that meet competition as described in § 221.165(d)(1)(iv); and

(3) At least 60 days before they are to become effective, for all other tariffs.

(b) *When single publication contains changes effective on different dates.* Each tariff, supplement, or loose-leaf tariff page which contains various changes to become effective on different dates shall:

(1) Bear a general effective date which shall allow at least thirty days' notice,

(2) Show directly in connection with such general effective date the following notation: "(except as noted)",

(3) Show in connection with each change which is to become effective earlier or later than such general effective date, its specific effective date which shall allow at least thirty days' notice unless the Board authorizes the change to be filed on less notice.

(4) When matter is authorized by the Board to be filed on less than thirty days' notice, show reference to the Board's order, regulation, or special tariff permission authorizing such filing. Such reference shall be shown (immediately following the specific effective date of such matter) in the manner required by the order, regulation, or special tariff permission, for example:

Effective: \_\_\_\_\_. Issued on \_\_\_\_ days' notice under Special Tariff Permission No. \_\_\_\_\_ of the Civil Aeronautics Board. (See also § 221.194.)

(c) *Computing number of days' notice.* A tariff publication shall be deemed to be filed only upon its actual receipt by the Board, and the first day of any required period of notice shall be the day of actual receipt by the Board.

(d) *Issued date.* All tariff publications must be received by the Board on or before the designated issued date.

(Approved by the Office of Management and Budget under control number 3024-0038)

(Secs. 204, 403, 1002; 72 Stat. 743, 758, 788; 49 U.S.C. 1324, 1373, 1482, as amended)

[ER-439, 30 FR 9439, July 29, 1965, as amended by ER-1038, 43 FR 1322, Jan. 9, 1978; ER-1044, 44 FR 9577, Feb. 13, 1979; ER-1171, 45 FR 20064, Mar. 27, 1980; ER-1271, 46 FR 63218, Dec. 31, 1981]

#### § 221.161 Delivering tariff publications to Board.

Tariff publications will be received for filing only by delivery thereof to the Board through normal mail channels, or by delivery thereof directly to that office of the Board charged with the responsibility of maintaining the Board's official file of tariffs. Tariff publications will be received for filing only during the established business hours of the Board. The office of the Board is closed on Saturdays and Sundays and on the following holidays:

New Year's Day (January 1).

Inauguration Day (January 20, 1973, and January 20 of each fourth year thereafter).

Washington's Birthday (third Monday in February).

Memorial Day (last Monday in May).

Independence Day (July 4).

Labor Day (first Monday in September).

Columbus Day (second Monday in October).

Veterans Day (November 11).

Thanksgiving Day (fourth Thursday in November).

Christmas (December 25).

When any such holiday falls on Saturday, the office of the Board will be closed on the preceding Friday. When any such holiday falls on Sunday, the office of the Board will be closed on the following Monday. No tariff publication will be accepted by the Board unless it is delivered to the Board free from all charges, including claims for postage.

[ER-439, 30 FR 9439, July 29, 1965, as amended by ER-670, 36 FR 4538, Mar. 9, 1971; ER-1079, 43 FR 52697, Nov. 14, 1978]

#### § 221.162 Number of copies required.

Three copies of each tariff, supplement, loose-leaf tariff page, index of tariffs, and adoption notice to be filed shall be sent to the Civil Aeronautics Board, Tariffs Section, Washington, DC

20428. All such copies shall be included in one package and shall be accompanied by a letter of tariff transmittal (§ 221.163).

**§ 221.163 Letter of tariff transmittal.**

All tariff publications (including indexes of tariffs and adoption notices) filed with the Board shall be accompanied by a letter of tariff transmittal in duplicate in the form prescribed in § 221.240. Each letter of transmittal may include one or more tariff publications but passenger tariff publications shall not be included in the same letter of tariff transmittal with property tariff publications. If the filing carrier or agent desires a receipt for the filing, the letter of tariff transmittal shall be sent in triplicate (accompanied by a preaddressed postage paid return envelope, if return by mail is requested), and one copy thereof showing the date of receipt by the Board will be returned to the sender.

(Approved by the Office of Management and Budget under control number 3024-0038)

[ER-874, 39 FR 34514, Sept. 26, 1974, as amended by ER-1271, 46 FR 63218, Dec. 31, 1981]

**§ 221.164 Concurrences or powers of attorney not previously filed to accompany tariff transmittal.**

When a tariff publication is filed on behalf of a carrier participating therein under authority of its concurrence or power of attorney, such concurrence or power of attorney shall, if not previously filed with the Board, be transmitted with such tariff publication submitted for filing and shall be listed in the letter of tariff transmittal.

(Approved by the Office of Management and Budget under control number 3024-0038)

[ER-439, 30 FR 9439, July 29, 1965, as amended by ER-1271, 46 FR 63218, Dec. 31, 1981]

**§ 221.165 Explanation and data supporting tariff changes and new matter in tariff publications.**

When a tariff publication is filed with the Board which contains new or changed local or joint rates, fares, or charges for air transportation, or new or changed classifications, rules, regulations, or practices affecting such rates, fares, or charges, or the value of the service thereunder, the issuing air carrier, foreign air carrier, or agent

shall submit with the filing of such publication, in or attached to the transmittal letter:

(a) An explanation of the new or changed matter and the reasons for the filing, including (if applicable) the basis of rate making employed. Where a tariff publication is filed pursuant to an intercarrier agreement approved by the Board, the explanation shall identify such agreement by CAB agreement number, IATA, or ATC resolution number, or if none is designated, then by other definite identification. Where a tariff publication is filed on behalf of a foreign air carrier pursuant to a Government order, a copy of such order shall be submitted with the letter of tariff transmittal.

(b) Economic data and/or information in support of the new or changed matter, including, in cases where pertinent,

(1) Estimates of costs of service, with supporting details and references to sources, and

(2) Estimates of the aggregate effect of the new or changed matter upon such carrier's traffic, schedules, and revenues, and an explanation of the basis for the estimates (including, where available, data as to past traffic, schedules and revenues).

(c) In cases where such publication contains new or changed local or joint rates (other than charter rates), fares, or charges (whether such rates, fares, or charges are published specifically or by rule), a table prepared as follows:

(1) In the first column, a sample of the pairs of points between which such new or changed rates, fares, or charges apply, which sample shall contain every 10th pair of all such pairs (but not less than 10 pairs, unless such new or changed rates, fares, or charges apply between fewer than 10 pairs of points, in which event all such pairs shall be included), but need not include more than 75 pairs of points, for each new or changed type of rate, fare (e.g., first class, coach, etc.), or charge included in such publication;<sup>5</sup>

<sup>5</sup> If a carrier's freight rates are published in rate scales rather than on a point-to-point basis, the table shall contain a representative sample of the proposed rates and charges for each rate scale, which sample

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